

Amendment to HB 463-FN

1 Amend the title of the bill by replacing it with the following:

2
3 AN ACT relative to licensure of advanced pharmacy technicians.
4

5 Amend the bill by replacing all after the enacting clause with the following:
6

7 1 New Paragraph; Definition; Licensed Advanced Pharmacy Technician. Amend RSA 318:1 by
8 inserting after paragraph XXXII the following new paragraph:

9 XXXIII. "Licensed advanced pharmacy technician" means a person licensed by the board
10 who:

11 (a) May perform all functions allowed by federal or state law and approved by the
12 board, under the supervision of a licensed pharmacist who is physically on premises and holds an
13 unrestricted license issued by the board.

14 (b) May conduct product verification, process refills, verify repackaging of drugs, and
15 perform other pharmacist tasks not required to be completed by a licensed pharmacist.

16 (c) May perform duties allowed by either certified or registered pharmacy technicians.

17 (d) Shall not interpret or evaluate a prescription or drug order, verify a compounded
18 drug, or counsel or advise individuals related to the clinical use of a medication.

19 2 New Paragraph; Pharmacy; Rulemaking; Licensed Advanced Pharmacy Technician. Amend
20 RSA 318:5-a by inserting after paragraph XI-b the following new paragraph:

21 XI-c. Licensure of advanced pharmacy technicians, including:

22 (a) Requirements for licensure, including experience and education requirements.

23 (b) The duties, functions, and standards of conduct of licensed advanced pharmacy
24 technicians.

25 (c) Standards for the supervision of licensed advanced pharmacy technicians by
26 licensed pharmacists.

27 (d) Standards for denial and revocation of licensure.

28 (e) Establishment of the effective period of a license.

29 (f) Requirements for renewal of a license.

30 (g) Requirements for reinstatement of a license.

31 3 New Section; Licensed Advanced Pharmacy Technician. Amend RSA 318 by inserting after
32 section 15-b the following new section:

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1 318:15-c Licensed Advanced Pharmacy Technician.

2 I. No person employed as a licensed advanced pharmacy technician shall perform the
3 functions or duties of a licensed advanced pharmacy technician as defined in RSA 318:1, XXXIII
4 unless such person is issued a license by the board and does so under standards of supervision
5 established by rules of the board adopted pursuant to RSA 318:5-a, XI-c.

6 II. When a pharmacy employs a licensed advanced pharmacy technician, in addition to
7 dispensing prescriptions the pharmacist shall provide clinical services and the pharmacy owner
8 shall provide the resources necessary for the pharmacist to safely provide the clinical services as
9 determined in rules adopted by the board.

10 III. Nothing in this section shall require a pharmacy to employ a licensed advanced
11 pharmacy technician.

12 4 Fees; Licensed Advanced Pharmacy Technician. Amend RSA 318:6-a, I to read as follows:

13 I. The board shall establish fees for examination of applicants, for licenses and for renewal
14 of licenses to practice pharmacy, ***for licensed advanced pharmacy technicians***, for registration
15 and certification of pharmacy technicians, and for transcribing and transferring records and other
16 services.

17 5 Notification; Reference Added. Amend RSA 318:26-a to read as follows:

18 318:26-a Change in Name, Employment, or Residence. Any pharmacist, ***licensed advanced***
19 ***pharmacy technician***, or pharmacy technician who changes his or her name, place or status of
20 employment, or residence shall notify the board in writing within 15 days. For failure to report
21 such a change within 15 days, the board may suspend the pharmacist's license, ***the advanced***
22 ***pharmacy technician's license***, or the pharmacy technician's registration. Reinstatement shall
23 be made only upon payment of a reasonable fee as established by the board.

24 6 Continuous Quality Improvement Program; Reference Added. Amend RSA 318:45-a, II to
25 read as follows:

26 II. A CQI program may be comprised of staff members of the pharmacist, including
27 pharmacists, registered pharmacist interns, ***licensed advanced pharmacy technicians***,
28 registered pharmacy technicians, clerical staff, and other personnel deemed necessary by the
29 pharmacist in charge or the consultant pharmacist of record.

30 7 Receipt of Oral Prescriptions. Amend RSA 318:47-c, I(a) to read as follows:

31 I.(a) A prescription may be written, oral, or electronically transmitted. All oral
32 prescriptions shall be immediately reduced to writing by the pharmacist ~~[or]~~, authorized technician,
33 ***or licensed advanced pharmacy technician*** receiving the oral prescription and shall indicate at
34 least the name of the patient; the name, strength, and quantity of the drug prescribed; any
35 directions specified by the prescriber; the name of the practitioner prescribing the medication; the
36 date the prescription was ordered; a statement that the prescription was presented orally; and the
37 name of the pharmacist who took the oral order. The pharmacist who dispensed an original

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1 prescription shall indicate on the face of the prescription at least the assigned prescription
2 identification number; the date of dispensing; the quantity actually dispensed; and his or her name
3 or ~~initials~~ ***unique identifiers***. The prescription shall be filed numerically by the assigned
4 identification number for a period not less than 4 years. Such prescription files shall be open to
5 inspection by the pharmacist board and its agents.

6 8 Effective Date. This act shall take effect July 1, 2019.

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AMENDED ANALYSIS

This bill establishes the duties of and requirements for the licensure of licensed advanced pharmacy technicians working in a pharmacy under a supervising pharmacist.